

House Study Bill 5

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ETHICS BILL BY
CHAIRPERSON H. MILLER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to registration and reports filed by lobbyists
2 and clients of lobbyists.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1101YC 83
5 tm/rj/8

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1 1 Section 1. Section 68B.32A, subsection 5, Code 2009, is
1 2 amended to read as follows:
1 3 5. Receive and file registration and reports from
1 4 lobbyists of the executive branch of state government, client
1 5 disclosure from clients of lobbyists of the executive branch
~~1 6 of state government, personal financial disclosure information~~
1 7 from officials and employees in the executive branch of state
1 8 government who are required to file personal financial
1 9 disclosure information under this chapter, and gift and
1 10 bequest disclosure information pursuant to section 8.7. The
1 11 board, upon its own motion, may initiate action and conduct a
1 12 hearing relating to reporting requirements under this chapter
1 13 or section 8.7.
1 14 Sec. 2. Section 68B.36, Code 2009, is amended to read as
1 15 follows:
1 16 68B.36 APPLICABILITY == LOBBYIST REGISTRATION REQUIRED.
1 17 1. All lobbyists before the general assembly and before
~~1 18 the office of the governor or any state agency shall, on or~~
1 19 before the day their lobbying activity begins, register by
1 20 filing a lobbyist's registration statement with the board at
1 21 times and in the manner provided in this section. ~~Lobbyists~~
~~1 22 engaged in lobbying activities before the general assembly~~
~~1 23 shall file the statement with the chief clerk of the house of~~
~~1 24 representatives or the secretary of the senate. Lobbyists~~
~~1 25 engaged in lobbying activities before the office of the~~
~~1 26 governor or any state agency shall file the statement with the~~
~~1 27 board. The chief clerk of the house and the secretary of the~~
~~1 28 senate shall provide appropriate registration forms to~~
~~1 29 lobbyists before the general assembly. The board shall~~
~~1 30 prescribe appropriate registration forms for lobbyists before~~
~~1 31 the office of the governor and state agencies.~~
1 32 2. Registration shall be valid from the date of
1 33 registration until the expiration of the registration period
1 34 for the type of lobbying in which the person will be engaging.
1 35 Any change in or addition to the information shall be
2 1 registered filed with the board within ten days after the
2 2 change or addition is known to the lobbyist. ~~Changes or~~
~~2 3 additions for executive branch lobbyists shall be filed with~~
~~2 4 the board. Changes or additions for registrations of~~
~~2 5 lobbyists of the general assembly shall be filed with either~~
~~2 6 the chief clerk of the house or the secretary of the senate.~~
2 7 3. For persons registered to lobby before the general
2 8 assembly, registration expires upon the commencement of the
2 9 next regular session of the general assembly, except that the
2 10 chief clerk of the house and the secretary of the senate board
2 11 may adopt and implement a reasonable preregistration procedure
2 12 in advance of each regular session during which persons may
2 13 register for that session and the following legislative
2 14 interim. For persons registered to lobby before the office of
2 15 the governor or a state agency, registration expires upon the
2 16 commencement of a new calendar year. The board may adopt and
2 17 implement a reasonable preregistration procedure in advance of
2 18 each new calendar year during which persons may register for

2 19 that year.

2 20 4. If a lobbyist's service on behalf of all clients,
2 21 employers, or causes is concluded prior to the end of the
2 22 calendar year, the lobbyist may cancel the registration ~~on by~~
2 23 ~~filing with the board the appropriate forms form as~~ supplied
2 24 by the board, ~~the chief clerk of the house, or the secretary~~
2 25 ~~of the senate. The cancellation forms shall be filed by the~~
2 26 ~~lobbyist in the place where the lobbyist filed the original~~
2 27 ~~registration. Upon cancellation of registration, a lobbyist~~
2 28 is prohibited from engaging in any lobbying activity on behalf
2 29 of any employer, client, or cause until reregistering and
2 30 complying with the rules of the board ~~or the general assembly.~~

2 31 5. All federal, state, and local officials or employees
2 32 representing the official positions of their departments,
2 33 commissions, boards, or agencies shall, when lobbying the
2 34 general assembly ~~or a state agency or the office of the~~
2 35 ~~governor, present to the chief clerk of the house or the~~
3 1 ~~secretary of the senate board~~ a letter of authorization from
3 2 their department or agency heads prior to the commencement of
3 3 their lobbying. ~~When lobbying a state agency or the office of~~
3 4 ~~the governor, the letter shall be presented to the board. The~~
3 5 lobbyist registration statement of these officials and
3 6 employees shall not be deemed complete until the letter of
3 7 authorization is attached. Federal, state, and local
3 8 officials who wish to lobby in opposition to the official
3 9 position of their departments, commissions, boards, or
3 10 agencies must indicate this on their lobbyist registration
3 11 statements.

3 12 Sec. 3. Section 68B.37, Code 2009, is amended to read as
3 13 follows:

3 14 68B.37 LOBBYIST REPORTING.

3 15 1. ~~A lobbyist before the general assembly shall file with~~
3 16 ~~the general assembly, on forms prescribed by each house of the~~
3 17 ~~general assembly, a report disclosing all of the following:~~

3 18 a. ~~The lobbyist's clients before the general assembly.~~

3 19 b. ~~Contributions made to candidates for state office by~~
3 20 ~~the lobbyist during calendar months during the reporting~~
3 21 ~~period when the general assembly is not in session.~~

3 22 c. ~~The recipient of the campaign contributions.~~

3 23 d. ~~Expenditures made by the lobbyist for the purposes of~~
3 24 ~~providing the services enumerated under section 68B.2,~~
3 25 ~~subsection 13, paragraph "a", before the general assembly.~~

3 26 ~~For purposes of this paragraph, "expenditures" does not~~
3 27 ~~include expenditures made by any organization for publishing a~~
3 28 ~~newsletter or other informational release for its members.~~

3 29 2- 1. A lobbyist before the general assembly or a state
3 30 agency or the office of the governor shall file with the
3 31 board, on forms prescribed by the board, a report disclosing
3 32 all of the following:

3 33 a. The lobbyist's clients before the general assembly or
3 34 the executive branch.

3 35 b. Contributions made to candidates for state office by
4 1 the lobbyist during calendar months during the reporting
4 2 period when the general assembly is not in session.

4 3 c. The recipient of the campaign contributions.

4 4 d. Expenditures made by the lobbyist for the purposes of
4 5 providing the services enumerated under section 68B.2,
4 6 subsection 13, paragraph "a", before the general assembly or
4 7 the executive branch. For purposes of this paragraph,
4 8 "expenditures" does not include expenditures made by any
4 9 organization for publishing a newsletter or other
4 10 informational release for its members.

4 11 3- 2. a. The reports by lobbyists before the general
4 12 assembly shall be filed not later than twenty-five days
4 13 following any month in which the general assembly is in
4 14 session and thereafter on or before July 31, October 31, and
4 15 January 31. The reports filed by a lobbyist before the
4 16 general assembly shall contain information for the preceding
4 17 calendar month or quarter or parts thereof during which the
4 18 person was engaged in lobbying. Reports filed by lobbyists
4 19 before the office of the governor a state agency shall be
4 20 filed on or before April 30, July 31, October 31, and January
4 21 31, for the preceding calendar quarter or parts thereof during
4 22 which the person was engaged in lobbying.

4 23 b. If a person cancels the person's lobbyist registration
4 24 at any time during the calendar year, the reports required by
4 25 this section are due on the dates required by this section or
4 26 fifteen days after cancellation, whichever is earlier. The
4 27 report due January 31 shall include all reportable items for
4 28 the preceding calendar year in addition to containing the
4 29 quarterly reportable items. A lobbyist who cancels the

4 30 person's lobbyist registration before January 1 of a year
4 31 shall file a report listing all reportable items for the year
4 32 in which the cancellation was filed. A lobbyist who cancels
4 33 the person's lobbyist registration between January 1 and
4 34 January 15 of a year shall file a report listing all
4 35 reportable items for the preceding year and so much of the
5 1 month of January as has expired at the time of cancellation.
5 2 However, if a lobbyist is a person who is designated to
5 3 represent the interest of an organization as defined in
5 4 section 68B.2, subsection 13, paragraph "a", subparagraph (2),
5 5 but is not paid compensation for that representation and does
5 6 not expend more than one thousand dollars as provided in
5 7 section 68B.2, subsection 13, paragraph "a", subparagraph (4),
5 8 the lobbyist shall only be required to file the report
5 9 specified in this section once annually, which shall be
5 10 performed at the time of filing the person's lobbyist
5 11 registration form or forms.

5 12 Sec. 4. Section 68B.38, Code 2009, is amended to read as
5 13 follows:

5 14 68B.38 LOBBYIST'S CLIENT REPORTING.

5 15 1. On or before July 31 of each year, a lobbyist's client
5 16 shall file with the ~~general assembly or~~ board a report that
5 17 contains information on all salaries, fees, retainers, and
5 18 reimbursement of expenses paid or anticipated to be paid by
5 19 the lobbyist's client to the lobbyist for lobbying purposes
5 20 during the preceding twelve calendar months, concluding on
5 21 June 30 of each year.

~~5 22 2. Reports by a lobbyist's clients shall be filed with the
5 23 same entity with which the lobbyist filed the lobbyist's
5 24 registration.~~

~~5 25 3. 2. The secretary of the senate, chief clerk of the
5 26 house, and the board shall develop forms to implement this
5 27 section.~~

5 28 EXPLANATION

5 29 This bill relates to registration and reports filed by
5 30 lobbyists and clients of lobbyists.

5 31 Currently, lobbyists engaged in lobbying activities before
5 32 the general assembly file lobbyist registrations and lobbyist
5 33 reports with the chief clerk of the house of representatives
5 34 or the secretary of the senate. Lobbyists engaged in lobbying
5 35 activities before the office of the governor or any state
6 1 agency file lobbyist registrations and lobbyist reports with
6 2 the ethics and campaign disclosure board. Lobbyist client
6 3 reports are currently filed with the same entity with which
6 4 the lobbyist filed the lobbyist's registration.

6 5 The bill requires lobbyists engaged in lobbying activities
6 6 before the general assembly to file lobbyist registrations and
6 7 lobbyist reports with the board. The bill requires lobbyist
6 8 client reports to also be filed with the board.

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